UNITED STATES DISTRICT COURT

for the

Southern District of California

FILED

JAN 14 2016

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

In the Matter of the Search of
(Briefly describe the property to be searched or identify the person by name and address)
1 CD located at FBI, 10385 Vista Sorrento Pkwy
San Diego,CA

Case No. 16MJ0139

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that there is now concealed on the following person or property located in the Southern District of California *(identify the person or describe property to be searched and give its location)*: Attachment A

The person or property to be searched, described above, is believed to conceal *(identify the person or describe the property to be seized)*: Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:

- ☑ evidence of a crime;
- ☑ contraband, fruits of crime, or other items illegally possessed;
- ☑ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of 18 U.S.C. § 2252(a), and the application is based on these facts:

☑ Continued on the attached sheet.

☐ Delayed notice of ____ days (give exact ending date if more than 30 days: ________) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

Lana Sabata, FBI Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 1/14/16

Judge's signature

City and state: San Diego, CA

Jan M. Adler, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, Lana Sabata, being duly sworn, do hereby state:

I. INTRODUCTION

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI"), and I have been so employed since May 2008. In October 2008, I was assigned to the Violent Crime and Major Offender Program in Northwest Indiana. Duties under this program focus on federal violent crime investigations including kidnapping, extortion, interstate transportation of stolen property, bank robberies, criminal gang activity and drug trafficking. Additionally, I was assigned as the Crimes Against Children ("CAC") coordinator and worked child violations to include: parental kidnapping, enticement, prostitution and child pornography. In January of 2013, I was transferred to the FBI's San Diego Division. My assignments and case load consists of various crimes against children, specifically, the sexual exploitation of children to include various illicit commercial sex activities.

2. Prior to my employment with the FBI, I was a local law enforcement officer in Lincoln, Nebraska for approximately seven years with experience in general investigations, as well as an undercover narcotics investigator. I have served in the United States Armed Forces, Air National Guard, Security Forces, to include active duty service. I am a law enforcement officer of the United States within the meaning of 18 U.S.C. Section 2510(7), and am empowered to investigate and make arrests for violations of U.S. criminal laws.

II. PURPOSE OF AFFIDAVIT

3. This affidavit is made in support of an application for a warrant to search one compact disc, more fully described in Attachment A, which is attached hereto and incorporated by reference, and to seize evidence, fruits, and instrumentalities, as specified in Attachment B, which is also attached hereto and incorporated by reference, of violations of Title 18, United States Code §§ 2252(a)(2) (receipt and distribution of child pornography), and 2252(a)(4)(B) (possession of child pornography) .

4. The facts set forth in this affidavit are based upon my personal observations and training and, where noted, information related to me by other law enforcement officials and witnesses. Because this affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me concerning this investigation.

III. SUMMARY OF INVESTIGATION

5. Based on information obtained through the investigation and prosecution of a third party, law enforcement learned that, in the summer of 2014, a person using a computer and numerous email addresses, sent images of child pornography to the third party by email. In addition, in December 2014, a person using a computer and numerous email addresses used the "Craigslist" online posting service to offer sex acts with a child. Jeremiah Labrash ("LABRASH") was previously investigated for the transmission of child pornography by email.

IV. EXPLANATION OF RELEVANT COMPUTER TERMS

6. The term "Internet Protocol" ("IP") is defined as the primary protocol upon which the Internet is based. IP allows a packet of information to travel through multiple networks (groups of linked computers) on the way to its ultimate destination.

7. The term "IP Address" is defined as a unique number assigned to each computer directly connected to the Internet (for example, 172.191.142.150). Each computer connected to the Internet is assigned a unique IP address while it is connected. The IP address for a user may be relatively static, meaning it is assigned to the same subscriber for long periods of time, or dynamic, meaning that the IP address is only assigned for the duration of that online session.

8. Gmail, Hotmail, America Online ("AOL"), and MSN are Internet companies which, among other things, provide electronic communication services to subscribers. Their electronic mail services allow subscribers to communicate with other Internet Service Provider ("ISP") subscribers through the Internet. Subscribers to these companies use unique screen names and/or email addresses during communications with others. The screen names and/or email addresses may or may not identify the real name of the person using a particular screen name or email account.

V. BACKGROUND ON USE OF COMPUTERS AND CHILD PORNOGRAPHY

9. Based on my training and experience, I have learned that computers and other forms of digital media devices, have revolutionized the way in which child pornography is

produced, distributed, and utilized. Child pornographers can now produce both still and moving images directly from a common video camera and can scan these images into computer-readable formats. The use of digital technology has enabled child pornographers to electronically receive, distribute, and possess large numbers of child exploitation images and videos with other Internet users worldwide.

10. Similarly, I know that computers and other digital media devices have the ability to store images in several different formats, making them an ideal repository for child pornography. The size of the electronic storage media (commonly referred to as the hard drive) used in home computers has grown tremendously within the last several years. These drives can store thousands of images at very high resolution. In addition, there are numerous options available for the storage of computer or digital files. Terabytes of external and internal hard drives are not uncommon. Other media storage devices include CDs, DVDs, and "thumb," "jump," or "flash" drives, which are very small devices which are plugged into a port on the computer. It is extremely easy for an individual to take a photo with a digital camera, upload that photo to a computer, and then copy it (or any other files on the computer) to any one of those media storage devices. (CDs and DVDs are unique in that special software must be used to save or "burn" files onto them.)

11. As a result of my training and experience in child exploitation and child pornography investigations, and the training and experience of other law enforcement

officers with whom I have had discussions, there are certain characteristics common to individuals involved in the distribution, receipt and possession of child pornography:

a. Individuals who have a sexual interest in children or images of children may receive sexual gratification, stimulation, and satisfaction from contact with children; or from fantasies they may have viewing children engaged in sexual activity or in sexually suggestive poses, such as in person, in photographs, or in other visual media; or from literature describing such activity.

b. Individuals who have a sexual interest in children or images of children may collect sexually explicit or suggestive materials, in a variety of media, including photographs, magazines, motion pictures, videotapes, books, slides, and/or drawings or other visual media. Individuals who have a sexual interest in children or images of children often use these materials for their own sexual arousal and gratification. Further, they may use these materials to lower the inhibitions of children they are attempting to seduce, to arouse the selected child partner, or to demonstrate the desired sexual acts.

c. Individuals who have a sexual interest in children or images of children almost always possess and maintain their "hard copies" of child pornographic material – that is, their pictures, films, video tapes, magazines, negatives, photographs, correspondence, mailing lists, books, tape recordings, etc. – in the privacy and security of their home or some other secure location. Individuals who have a sexual interest in children or images of children typically retain pictures, films, photographs, negatives, magazines, correspondence, books, tape recordings, mailing lists, child erotica, and/or videotapes for many years.

d. Likewise, individuals who have a sexual interest in children or images of children often maintain their collections that are in a digital or electronic format in a safe, secure, and private environment, such as a computer and on digital storage devices. These collections are often maintained for several years and are kept close by, usually at the collector's residence, to enable the individual to view the collection, which is valued highly.

e. Individuals who have a sexual interest in children or images of children also may correspond with and/or meet others to share information and materials; rarely destroy correspondence from other child pornography distributors/collectors; conceal such correspondence as they do their sexually explicit material; and often maintain lists of names, addresses, and telephone numbers of individuals with whom they have been in contact and who share the same interests in child pornography.

f. Individuals who have a sexual interest in children or images of children prefer not to be without their child pornography for any prolonged time period. This behavior has been documented by law enforcement officers involved in the investigation of child pornography throughout the world.

VI. USE OF CRAIGSLIST RELATED TO CHILD PORNOGRAPHY

12. Based on my training and experience and as a result of numerous investigations involving this particular message board, I know that "Craigslist" is an online message board that allows users to post messages in different categories, including personals, casual encounters, discussion forums, housing, for sale, services, jobs, and gigs. When users submit a posting, Craigslist verifies their email addresses before the post is uploaded to the website for all users to see. In an effort to protect the identity of the users, Craigslist removes the email address of anyone who responds to the post and redirects the message to the verified email of the poster of the message. All future communication between the poster and the responder have the option of being done anonymously through Craigslist.

13. Through previous investigations involving the service, I have had the opportunity to review numerous Craigslist postings. As a result, I have observed that individuals who are interested in unusual, but not illegal, sexual behaviors will either explicitly state their interests or use a form of shorthand familiar to people with the same sexual interests. By using specific and known terms, the posting individual is more likely to get responses from individuals with the same particular interests. For example, an individual interested in meeting people who incorporate urination and defecation into their sexual activity simply post that they are seeking someone who enjoys those sexual activities. In that case, the individual may also use the slang or shorthand terms "water sports" or "ws," "golden showers," or "scat." The slang and shorthand terms may not be in

the common vernacular, but they are known to individuals who enjoy those activities or who regularly seek out postings on the site. Such postings do not solicit or advertise illegal activity and are not likely to be flagged and removed for inappropriate content by Craigslist.

14. I also know that other types of "casual encounter" postings in which the posting individual typically does not use explicit and specific language regarding their sexual interests can be when the individual is seeking encounters with other individuals with a sexual interest in children. Referring directly to the sexual exploitation of children would likely cause the posting to be removed and potentially reported to law enforcement, neither of which is a desired outcome for the posting individual.

15. As a result of my review of several thousand email messages related to the distribution of child pornography via Craigslist, I have learned that individuals with sexual interests in children are using terms like "taboo," "perv," and sometimes even "pedo" (short for "pedophilia") when listing their sexual interests in online advertisements on sites such as Craigslist. The Craigslist postings are typically found in the "Casual Encounters" section of the website. The postings typically provide a physical self-description of the posting individual and state the characteristics that the posting individual seeks in the responding party, similar to any other "casual encounter" advertisement. In the Craigslist postings that have been reviewed, many terms and abbreviations have been found

repeatedly in postings that refer to child pornography and the sexual exploitation of children.

16. I have learned from other law enforcement officers and colleagues that Craigslist posters use non-direct terms and language as to not cause their ads to be flagged and removed from the site. Subtle terms such as "taboo" and "perv" are used. Terms such as "daddy and son" or "young boy/girl" are often removed due to inappropriate content. However, when the terms "taboo" and "perv" are used, these ads are not usually removed and often yield responses from individuals with a sexual interest in children. Responding parties often follow-up with email conversations regarding their sexual interests in children, with some of them either meeting in person or use a peer-to-peer file sharing program to trade images of child pornography.

17. Similarly, individuals seeking others with a sexual interest in children and their collections of images of child sexual exploitation will often use abbreviations or slang to describe their interests and collections once they have started a more private dialogue. Since many of these terms are specifically used to refer to child pornography and the sexual exploitation of children, the individuals feel more comfortable using abbreviations that are familiar to like-minded individuals but not obvious to the average citizen or to law enforcement. Some of these terms are as follows:

a. jo or j/o – jackoff (a slang word for masturbation)

b. taboo or perv – terms commonly used by child pornographers to indicate an abnormal sexual interest without attracting attention from law enforcement and website administrators.

c. dirty chat or fantasy – other terms used to express "taboo" or "perv" topics. Fantasy is very often a term used by child molesters and child pornographers that I have interviewed. I have been told by child pornography offenders that they believed viewing child pornography should not be a crime as they would never hurt a child, it was simply fantasy to them that ended at the viewing aspect. Being able to fantasize about being with a child was erotic to one such offender as he stated he was impotent and unable to achieve an erection. Additionally, I have interviewed a child molester who stated that fantasy and fantasizing about molesting a child was a stepping stone to actual hands-on offending. When talking about fantasy, visual depictions, i.e. images of child pornography, are often exchanged between the parties involved.

d. m/b and b/b– abbreviations for "man/boy" and "boy/boy"

18. I have reviewed hundreds of Craigslist postings containing the words "taboo" or "perv" and thousands of emails that responded to those. In the private email exchanges that followed those postings, the posting individual typically tried to determine if the responder had child pornography. In many instances the creator of the post denied having any illegal images or claimed a hard drive crashed recently and their collection was lost. These individual will often continue to reference child pornography even though they

claim they don't have any. Investigation into many of these scenarios has revealed that most of these individuals did in fact have child pornography in their email accounts.

VII. STATEMENT OF PROBABLE CAUSE

A. Prior Investigation

19. As a result of my participation in the following investigation, on October 23, 2014, a federal search warrant was executed at 47 Madison Avenue #1, Chula Vista, California. The basis for the warrant was that Jan E. Culbertson had arranged for a person (who was, in fact, an undercover agent ("UC")) to come to Culbertson's residence with the understanding that the UC and her 12 year-old daughter would have sex with Culbertson. The arrangement had been made after several weeks of communicating via email after meeting on Craigslist.org. Culbertson had placed an ad looking for a "young daddy's girl." Culbertson was arrested and charged with violations of Title 18, U.S.C., Section 2422(b) (Attempted Enticement of a Minor).

20. Digital evidence that was obtained and seized from Culbertson was forensically analyzed by SA Nathaniel Dingle, and I completed additional search warrants based on his review. Additionally, I reviewed all the evidence SA Dingle located. Images of child pornography were subsequently located and, on November 25, 2014, Culbertson was charged via information with violations of Title 18, U.S.C., Section 2252(a)(2) (Receipt of Images of Minors Engaged in Sexually Explicit Conduct). On February 19, 2015, Culbertson pled guilty to the Receipt of Images of Minors Engaged in Sexually Explicit

b. On July 18, 2014, at 10:26 AM, janieguess@hotmail.com sent three images to jan_culbertson@msn.com with subject title "playtime." The three photos are described as follows:

i. 0303.jpg – This image depicts a Caucasian female toddler approximately two to four years of age. The toddler is naked and is visible from the waist down. The toddler is lying on her back on top of a white sheet. Her vagina appears to be lubricated with a clear fluid and a right index finger of an unknown person is digitally penetrating the toddler's vagina.

ii. 0505.jpg – This image depicts a close up of what appears to be the female toddler as above. A light-skinned male is penetrating the toddler's vagina with his penis. Neither the child's nor the adult's face can be seen in the image. The photograph is cropped very close. It appears that the male ejaculated onto the toddler's stomach and vagina.

iii. 0606.jpg – This image depicts a light-skinned male inserting his penis into a female toddler's vagina. The toddler is approximately two to four years of age and the male is kneeling down in front of her between her legs as she is lying her back. The toddler is lying on top of a white sheet, and the hand of a third party is observed assisting holding the toddler's legs open. The male is wearing a blue shirt and is naked from the waist down. No faces can be observed.

c. On July 18, 2014, at 10:27 AM, jan_culbertson@msn.com sent an email to janieguess@hotmail.com, which read, "Your pics got my cock super hard ready to fuck her. She has a nice little hairless cunt but I want to see her face too because I will be fucking her face a lot."

d. On July 18, 2014, at 10:31 AM, janieguess@hotmail.com sent an email to jan_culbertson@msn.com, with the subject: "little whore." The body of the message read: "How about one from a few years ago. Not safe sending modern ones just in case..." Attached were the following three photos:

i. 101_0392.JPG – This image depicts a Caucasian female toddler with longer brown hair, approximately one to two years of age. The toddler is wearing only a diaper and has a plastic play toy of an orange fruit in her mouth. The toddler is not engaged in any sexual act. However, in the background is a television with pornography displayed.

ii. 101_0781.JPG – This image depicts what appears to be the same female toddler. The toddler is naked and sitting on top of her diaper on a multicolored towel or blanket. Near her left knee is a light blue shoe with a Winnie the Pooh image. In front of her and in her right hand is an erect Caucasian penis. The male cannot be seen in the photo as it appears the male is taking the photo and is pointing the camera down upon his genitals to show the toddler holding his penis.

iii. 101_0783.JPG – This image depicts the same female toddler and appears to be a photo taken shortly after the image immediately above, as the toddler appears to be sitting in the same place on the towel/blanket and near the Winnie the Pooh shoe. The toddler is holding what appears to be the same erect penis, this time with both of her hands. The male cannot be identified.

e. On July 18, 2014, at 10:31 AM, jan_culbertson@msn.com sent the following to janieguess@hotmail.com: "I would give anything to lick that little hairless cunt and asshole, and force her to suck my cock while I do it. Like a math class, I want to teach the little whore what 69 is."

f. On July 18, 2014, at 10:35 AM, jan_culbertson@msn.com sent the following to janieguess@hotmail.com: "It looks like the little slut already got some early training. Now she needs some humiliation training to learn that she is a worthless little cunt made to crave cock and serve daddies."

g. On July 18, 2014, at 10:36 AM, janieguess@hotmail.com sent the following to jan_culbertson@msn.com: "We are both worthless. We were made to serve. She was drugged there but she will learn to serve you and will drop whatever she is doing when you take your cock out master."

h. On July 18, 2014, at 10:37 AM, janieguess@hotmail.com sent the following to jan_culbertson@msn.com: "Mmmm. I want her to bring little girls home to you. I want to come home and hear panting. I want to walk around the corner and see your bare ass from behind ramming into some fucktoy of a whore girl. I want you to take their innocence and transform them into whores forever....

i. On July 18, 2014, at 10:42 AM, jan_culbertson@msn.com sent the following to janieguess@hotmail.com: "You must bring her here to me in San Diego. I will pay for the trip so it won't cost you anything. Could you do that in the next few month before she gets much older? When is the little slut's birthday?"

j. On July 18, 2014, at 10:43 AM, jan_culbertson@msn.com sent the following to janieguess@hotmail.com: "I also want your worthless mouth to lick my ass while she sucks my cock."

k. On July 18, 2014, at 10:43 AM, janieguess@hotmail.com sent the following to jan_culbertson@msn.com: "September. you will look so good inside her."

l. On July 18, 2014, at 10:46 AM, jan_culbertson@msn.com sent the following to janieguess@hotmail.com: "I want to lay down on the floor and have you guide my cock inside her little cunt as she sits down on my cock. Will you do that for daddy?"

C. Craigslist Postings By janieguess@hotmail.com

22. On December 31, 2014, a FBI Staff Operations Specialist sent an administrative subpoena to Craigslist.org for information pertaining to the email account janieguess@hotmail.com.[1] On January 7, 2015, Craigslist provided information that five ads were placed using this email. The ads are as follows:

a. Post 1

Posting ID	4555762589
Poster E-mail	Janieguess@hotmail.com
Poster IP	198.228.211.87
Created Date	Sun Jul 06 2014 15:02:29 (Pacific)
Posting Title	Looking for OLDER white/Latino daddy for taboo chat (maybe more) - w4m

[1] On December 30, 2014, a FBI Staff Operations Specialist sent an administrative subpoena to Microsoft for information pertaining to the janieguess@hotmail.com account. On January 20, 2015, Microsoft responded, stating that the account was deactivated due to inactivity. As such, no records could be located.

Ad Text	When I was 5 my father started a sexual relationship with me that lasted until I was a teenager. It started romantically but soon I was servicing him and his friends with close to no emotion. This developed my sexuality. I'm looking for someone who understands this with no judgements. Someone who shares the same interests and gets excited by the same dynamic I do. I know its shocking but I'm putting it out there, so if you contact me back you know what you're in for and I expect we're not going to waste each other's time. Looking only for older daddy types that are white and Latino. Only dirty chat and fantasies. If we click then I'll think about meeting for more...
City of Post	Los Angeles

b. Post 2

Posting ID	4556056272
Poster E-mail	Janieguess@hotmail.com
Poster IP	108.198.21.41
Created Date	Sun Jul 06 2014 18:47:14 (Pacific)
Posting Title	Looking for older dom daddy type for dirty chat - w4m
Ad Text	I started a sexual relationship when I was young w a family member. It started romantically but soon I learned the pleasure of servicing him and his friends. I'm looking for someone who understands this scenario with no judgements. Someone who shares the same interests and gets excited by the same sexual dynamic I do. I know its shocking but I'm putting it out there, so if you contact me back you know what you're in for and I expect we're not going to waste each other's time. Looking only for older daddy types that are white and Latino (sorry, my pref). Only dirty chat and fantasies. If we click then I'll think about meeting or more...
City of Post	Los Angeles

c. Post 3

Posting ID	4567090460
Poster E-mail	Janieguess@hotmail.com
Poster IP	108.198.21.41
Created Date	Sun Jul 13 2014 11:39:27 (Pacific)
Posting Title	Looking for older dom daddy type for dirty chat - w4m
Ad Text	I started a sexual relationship when I was young w a family member. It started romantically but soon I learned the pleasure of servicing him and his friends. I'm looking for someone who understands this scenario with no judgements. Someone who shares the same interests and gets excited by the same sexual dynamic I do. I know its shocking but I'm putting it out there, so if you contact me back you know what you're in for and I expect we're not going to waste each other's time. Looking only for older daddy types that are white and Latino (sorry, my pref). Only dirty chat and fantasies. If we click then I'll think about meeting or more...
City of Post	Los Angeles

d. Post 4

Posting ID	4577226029
Poster E-mail	Janieguess@hotmail.com
Poster IP	198.228.208.21
Created Date	Sat Jul 19 2014 12:31:41 (Pacific)
Posting Title	32 f seeking role play chat and fun - w4m
Ad Text	I started a sexual relationship when I was young w a family member. It started romantically but soon I learned the pleasure of servicing him and his friends. I'm looking for someone who

	understands this scenario with no judgements. Someone who shares the same interests and gets excited by the same sexual dynamic I do. I know its shocking but I'm putting it out there, so if you contact me back you know what you're in for and I expect we're not going to waste each other's time. Looking only for older daddy types that are white and Latino (sorry, my pref). Only dirty chat and fantasies. If we click then I'll think about meeting or more...
City of Post	Las Vegas

e. Post 5

Posting ID	4578766159
Poster E-mail	Janieguess@hotmail.com
Poster IP	108.198.21.41
Created Date	Sun Jul 20 2014 13:57:16 (Pacific)
Posting Title	32 f seeking roleplay chat and maybe more... - w4m
Ad Text	I started a sexual relationship when I was young w a family member. It started romantically but soon I learned the pleasure of servicing him and his friends. I'm looking for someone who understands this scenario with no judgements. Someone who shares the same interests and gets excited by the same sexual dynamic I do. I know its shocking but I'm putting it out there, so if you contact me back you know what you're in for and I expect we're not going to waste each other's time. Looking only for older daddy types that are white and Latino (sorry, my pref). Only dirty chat and fantasies. If we click then I'll think about meeting or more...
City of Post	New York City

23. Based on my training and experience, vague language is often used in online ads so as not to alert suspicion and have an ad flagged and/or removed. The above ads describe a specific scenario in which child sexual abuse took place. As a result, the advertiser is seeking to find someone who does not judge and "shares the same interests" as well as "gets excited by the same sexual dynamic." This "dynamic," as written by the advertiser, was that of an adult having a sexual relationship with a "young" child, not two adults engaging in consensual sex.

D. Identification of LaBrash as Resident of SUBJECT PREMISES

24. On January 14, 2015, I sent an administrative subpoena to AT&T Internet Services requesting information related to the IP address 108.198.21.41, which was used to send Post 2, Post 3, and Post 5 above. The dates and times requested were: July 6, 2014, at 18:47:14; July 13, 2014, at 11:39:27; and July 20, 2014, at 13:57:16, which correspond to the dates and times of Post 2, Post 3, and Post 5 above. (All times are in the Pacific Time zone.) AT&T responded on January 26, 2015, stating that the subscriber of the IP address was Jeremiah LaBrash at 620 South Saint Andrews Place, #601, Los Angeles, CA, 90005. AT&T further stated that LaBrash has been assigned this IP address since October 2, 2013.

25. After receiving LaBrash's name, FBI San Diego conducted an internal FBI database search, which located a "Jeremiah Sapier LaBrash," who had been a target in a 2003 FBI Los Angeles investigation. An FBI Office in Vienna, Austria, reported that email communications were initiated between an individual using the email address of

janiehistorian@yahoo.com and a Croatian male. Suspected child pornography was traded between the two, and the Croatian citizen was arrested. The investigation was able to identify the IP address of janiehistorian@yahoo.com as an IP address owned by the University of California Irvine. It was later determined via an administrative subpoena that a former fiancé of LaBrash's was identified as the user of the IP address when the suspected child pornography was traded. The fiancé was interviewed and denied trading any child pornography or using the janiehistorian@yahoo.com email address. The fiancé reported that it was possible that LaBrash may have used her access code to gain access to the University of California Irvine computer lab devices. LaBrash was also a student at the University of California Irvine at the same time. LaBrash later moved to New York and they ended their engagement a short time later. The case was closed in 2008.

26. On February 9, 2015, I sent a request to the National Center for Missing and Exploited Children ("NCMEC") for information pertaining to Jeremiah LaBrash connected to his IP address and the email janieguess@hotmail.com. I asked if any Cyber Tips or complaints had been related to that name, IP address, or email address.

27. On February 10, 2015, a response was received from NCMEC stating that three Cyber Tips had been reported by Google and AOL pertaining to the IP address and/or email identified in the request. In two Cyber Tips reported by AOL, one of their users (email not disclosed due to an active investigation) sent emails allegedly containing child pornography to janieguess@gmail.com. Also, Google reported that one of their users,

janieguess@gmail.com, was possibly in receipt of child pornography from an AOL user, the same user reported by AOL. Google's report stated that their user had the IP address of 108.198.21.41 and listed a secondary email address of dextermasser@gmail.com. The Cyber Tips were reported in June and July of 2014. NCMEC reported that the Cyber Tip sent to Google was closed by the investigating agency in September of 2014.

E. Additional Postings on Craigslist Using the SUSPECT IP ADDRESS

28. On April 3, 2015, I sent an administrative subpoena to Craigslist.org for information pertaining to ads posted using the suspect IP address. On April 6, 2015, Craigslist responded with 142 pages of ad placements using the IP address. The vast majority of these ads were in regards to a tutoring service to help a person achieve better GMAT scores (Graduate Management Admission Test) and MBA Essay Consulting (Master of Business Administration). The email accounts of dextermasser@gmail.com, thefloatingice@gmail.com and jeremiahlabrash@gmail.com were used to create these posts. In addition, other posts of a sexual nature were placed on Craigslist, including the following:

29. On March 11, 2014, an ad was created using the email address janieguess@gmail.com and posted using the suspect IP address. The ad read as follows:

Posting ID	4370035190
Poster E-mail	janieguess@gmail.com
Poster IP	108.198.21.41
Posted Date	Tue Mar 11 2014 10:22:31 AM (Pacific)

Posting Title	Need ongoing daddy relationship - w4m
Ad Text	Looking for a sweet, sensitive older white or Hispanic OLDER daddy. I want to be your sweet girl who you love but also know how to use. I LOOVE to serve my daddy! Some rules: too young, deleted no pic, deleted creepy and bad grammar, deleted don't care if youre married but I want something on going email stuff first to get to know each other Looking for my special perfect daddy to love!!!
City of Post	Los Angeles

30. On December 21, 2014, an ad was created using the email address sammyellsworth@gmx.us and posted using the suspect IP address. The ad read as follows:

Posting ID	4815366765
Poster E-mail	sammyellsworth@gmx.us
Poster IP	108.198.21.41
Posted Date	Sun Dec 21 2014 06:10:30 PM (Pacific)
Posting Title	Daddy, give me a baby – w4m
Ad Text	Want an old white or latino daddy to impregnate me ...then my daughter. This must be discreet as I'm married. TODAY ONLY! 5'6" white, curvy 32 y/o White or latino above 40 please. Pics and what you're into in your email, pls
City of Post	Los Angeles

31. On December 21, 2014, an ad was created using the email address sammyellsworth@gmx.us and posted using the suspect IP address. The ad read as follows:

Posting ID	4816955834
Poster E-mail	sammyellsworth@gmx.us
Poster IP	108.198.21.41
Posted Date	Tue Dec 23 2014 01:10:04 AM (Pacific)
Posting Title	Come in, fuck, cum inside, leave – w4m
Ad Text	its dark… come in… Take your cock out… I suck you into my mouth… I insert your cock in my daughter… We kiss… You cum inside… Leave. Older mature white and Latino only. Tell me your dark fantasy and let's see if this is a fit… 30's, curvy F, white, (this is for now)

F. **Surveillance of LaBrash**

32. On May 11, 2015, FBI Los Angeles SA Olivier Farache and Task Force Officer Sergio Perez contacted LaBrash outside his residence under the ruse pretext of a hit and run accident investigation. LaBrash stated that he has lived at the residence for approximately 3.5 years and has lived at the address exclusively with his fiancé, Danielle Davidson. They do not have children nor do they have any roommates.

33. On June 9, 2015, in the Central District of California, a federal search warrant was signed by the Honorable Paul L. Abrams, U.S. Magistrate Judge, for the residence of

Jeremiah LaBrash, at the South Saint Andrews Place address. On June 10, 2015, the search warrant was executed.

34. LaBrash was interviewed after being advised of his Miranda rights. He admitted to using several email accounts in order to communicate with people for the purpose of possessing and sending and/or receiving images of child pornography. He stated that agents would find images and videos of child pornography on his main desktop computer as well as his several email accounts. The images of the children would be as young as two years of age.

35. When asked specifically about some of the images that had been included in the search warrant for his residence, LaBrash was able to recall the photos of the young female child with the vibrator and the young female toddler touching an erect male penis with pornography displayed on a television in the background.

36. LaBrash stated that when he posted ads as a female, he would receive a lot of responses. People would send him child pornography and in return he would save it and send it to others, acting as if it was his own. He had been viewing, possessing, sending and/or receiving child pornography for many years, dating back to when he was in college.

37. LaBrash admitted to using many emails accounts in order to send and receive child pornography. Of the emails reported; sammymommy@hushmail.com, dankany@hushmail.com and janieguess@hushmail.com were later preserved with Hushmail.com. On June 16, 2015, Hushmail's Custodian of Records, Steve Youngman,

contacted me and stated the only active account he could locate and preserve was the dankany@hushmail.com account. The account had material that law enforcement "would want" and he believed the material would be a violation of Canadian law in his opinion. Since Hushmail.com was located in Canada, Youngman described the legal process in which Hushmail could turn over the material.

38. On July 17, 2015, I contacted Special Agent Sherrie Onks, FBI Assistant Legal Attache, U.S. Consulate, Vancouver, Canada, to discuss the case and coordinate the legal process needed in Canada to have the evidence turned over to the FBI's San Diego Field Office. Agent Onks stated she would reach out to her contact at the Vancouver Police Department and proceed accordingly.

39. On October 26, 2015, Special Agent Onks gave me the contact information of Detective Constable Robin Shook, Vancouver Police Department, Vancouver, Canada. I sent Detective Shook a brief background of the case and portions of LaBrash's federal Complaint filed in the Southern District of California. Detective Shook used this information to author an application for a Production Order pursuant to Section 487.014 of the Criminal Code to order Hushmail Communications Canada to produce the records relating to dankany@hushmail.com.

40. On October 29, 2015, Detective Onks swore to the contents of the application for Production Order. The Production Order was authorized by Judicial Justice F.D. Hodge.

41. On November 5, 2015, Detective Shook served Hushmail Communication Canada by serving Steve Youngman, Director, personally at Hushmail's office in Vancouver.

42. On November 5, 2015, Detective Shook received the results of the Production Order from Youngman. The results and material were then forwarded to Special Agent Sherri Onks of the FBI.

43. On November 19, 2015, I received notification via the FBI's internal database system, that documents were uploaded to the LaBrash case file. I downloaded a copy of Detective Shook's Application to Obtain a Production Order. I observed in the affidavit that portions of the Application were not correct. Detective Shook had misunderstood certain sections of the federal Complaint in which it was Jan E. Culbertson that was responsible for soliciting sex from the UC and a 12 year old female, not Jeremiah LaBrash. Additionally, sections where LaBrash was chatting with Culbertson via email was confused. Though these portions were confused in the affidavit, the fact remains that LaBrash admitted to using the dankany@hushmail.com account for the purpose of receiving and sending child pornography during the June 10, 2015, interview. Additionally, LaBrash consented and signed a form allowing agents to take over this particular account, along with others. However, the password he reported did not work.

44. On November 24, 2015, I received via Fedex a package from Special Agent Onks. The package contained documents and a compact disc from Hushmail. The compact disc was not reviewed. The compact disc is the item in Attachment A.

45. Based on my training and experience and knowledge of this investigation, I believe that child pornography or other items listed in Attachment B are located on the material received and sent from the Vancouver Police Department that was obtained from Hushmail.com, described in Attachment A.

VIII. CONCLUSION

46. For all the reasons described above, there is probable cause to believe that evidence, fruits, and instrumentalities of violations of 18 U.S.C. §§ 2252(a)(2) (receipt and distribution of child pornography) and 2252(a)(4)(B) (possession of child pornography), as described in Attachment B to this affidavit, will be found on the item described in Attachment A of this affidavit.

LANA SABATA, SPECIAL AGENT
FEDERAL BUREAU OF INVESTIGATIONS

SUBSCRIBED TO AND SWORN BEFORE ME
THIS 14th DAY OF January, 2016

THE HONORABLE JAN M. ADLER
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

One compact disc with white label affixed from Hushmail.com. The label reads, "dankany@husmail.com, 2015-11-03, Hushmail, 305A-SD-6330201-1A11". The disk appears to have the initials "Soy" handwritten in blue ink. It is located at the FBI Office, 10385 Vista Sorrento Parkway, San Diego, CA.

ATTACHMENT B

Authorization is sought to search for and seize evidence that relates to the violation of Title 18, United States Code, Section 2252(a). Authorization to search includes any detached structures from the primary premises if such additional structures exist. This authorization includes the search of physical documents and includes electronic data to include deleted data, remnant data and slack space. The seizure and search of computers and computer media will be conducted in accordance with the "Procedures For Electronically Stored Information" provided in the affidavit submitted in support of this warrant. Items to be seized include the following:

a. All documents, including all temporary and permanent electronic files and records, (including, but not limited to, JPG, GIF, TIF, AVI, WAV and MPEG files) which contain, attach, or describe child pornography or visual depictions of minors engaged in sexually explicit conduct, as defined in 18 U.S.C. § 2256.

b. User-attribution data to include data reflecting who used or controlled the account at or around the time that data reflecting criminal activity within the scope of this warrant was created, accessed, deleted, modified, copied, downloaded, uploaded or printed. User-attribution data includes registry information, computer logs, user profiles and passwords, cookies, electronic mail stored, electronically-stored photographs and video, file structure and user-created documents, including metadata.

c. Any and all materials or items which are sexually arousing to individuals who are interested in minors, but which are not in and of themselves obscene or which do not necessarily depict minors involved in sexually explicit conduct. Such material is commonly known as "child erotica" and includes written materials dealing with child development, child pornography, sexual abuse of children, incest, child prostitution, missing children, investigative techniques of child exploitation, sexual disorders, pedophilia, nudist publications, diaries, and fantasy writings relating to children.

d. Any record or document that shows the offer to transmit or receive any depictions of a minor engaged in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256.

e. Electronically stored communications or messages reflecting computer on-line chat sessions or e-mail messages with any persons regarding the possession, receipt, distribution, and/or reproduction of child pornography, as defined in Title 18, United States Code, Section 2256.